

Before the
Federal Communications Commission
Washington, D.C. 20554

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AUG 10 2007

In the matter of)

FCC ...

Third Periodic Review of the
Commission's Rules and Policies
Affecting the Conversion
to Digital Television)

MB Docket No. 07-91

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ORDER GRANTING EXTENSION OF TIME
FOR FILING COMMENTS AND REPLY COMMENTS

Adopted: August 6, 2007

Released: August 6, 2007

Revised date for filing Comments: August 15, 2007

Revised date for filing Reply Comments: August 30, 2007

By the Chief, Media Bureau:

1. On April 25, 2007, the Commission adopted the Notice of Proposed Rulemaking for the *Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television* ("Third DTV Periodic NPRM") to assess the progress of the transition to digital television ("DTV") and make any necessary adjustments to the Commission's rules and policies to facilitate the introduction of DTV service and the recovery of spectrum at the end of the transition. The Third DTV Periodic NPRM requested comment on the procedures and rule changes necessary so that broadcasters can complete the transition to their final, post transition (digital) facilities by the statutory deadline, February 17, 2009. Comments on the Notice were initially due on August 8, 2007, and reply comments were initially due on August 23, 2007.

2. On August 3, 2007, the Association of Federal Communications Consulting Engineers (AFCCE) filed a request for a 21 day extension of time to file comments in this proceeding. AFCCE argues that an extension is necessary to fully review the technical details raised in the Third DTV Periodic NPRM and develop comprehensive comments. The Request also points out that the *Seventh Report and Order* adopting the new DTV Table of Allotments is expected to be released soon and would inform comments to the Third DTV Periodic NPRM.¹

3. As set forth in Section 1.46 of the Commission's Rules,² it is our policy that extensions of time for filing comments in rulemaking proceedings shall not be routinely granted. However, we believe that a seven day extension for the comment and reply period is warranted to facilitate informed comments to the Third DTV Periodic NPRM, while at the same time maintaining the timing necessary to complete the final phases of the digital transition. Because the *Seventh Report and Order* and *Eighth Further*

¹ See *Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service*, MB Docket No. 87-268, *Seventh Further Notice of Proposed Rule Making*, 21 FCC Rcd 12100 (2006) ("Seventh FNPRM").

² 47 C.F.R. § 1.46.

*Notice of Proposed Rulemaking*³ has been adopted and will be released on August 6, 2007, a seven day extension allows parties additional time to frame their responses to the Third DTV Periodic NPRM in light of the new DTV Table of Allotments. It is essential, however, that the industry and Commission remain on track to complete this transition by February 17, 2009.⁴ Accordingly, we decline to grant the full 21 day extension AFCCE requested.

4. Accordingly, IT IS ORDERED that the Request for Extension of Time filed in MB Docket Number 07-91 by AFCCE is GRANTED to the extent described above.

5. IT IS FURTHER ORDERED that the time for filing comments in the above captioned proceeding is EXTENDED to **August 15, 2007** and the time for filing reply comments is EXTENDED to **August 30, 2007**.

6. This action is taken pursuant to authority found in Sections 4(i), 4(j), and 403 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 403 and Sections 0.61, 0.283, and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.61, 0.283, and 1.46.

FEDERAL COMMUNICATIONS COMMISSION

Monica Shah Desai
Chief, Media Bureau

³ *Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service*, MB Docket No. 87-268, *Seventh Report and Order and Eighth Further Notice of Proposed Rulemaking*, FCC No. 07-138 (rel. August 6, 2007).

⁴ See Deficit Reduction Act of 2005, Pub. L. No. 109-171, 120 Stat. 4 (2006) (amending Section 309(j) (14) and Section 337(e) of the Communications Act, as amended).